

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

PRISONERS LEGAL ADVOCACY  
NETWORK,

Plaintiff,

v.

THE HONORABLE JOHN CARNEY, in his  
official capacity as Governor of the State of  
Delaware, THE HONORABLE ANTHONY  
J. ALBENCE, in his official capacity as State  
Election Commissioner of the Delaware  
Department of Elections, and, THE  
HONORABLE TERRA TAYLOR, in her  
official capacity as Acting Commissioner of  
the Delaware Department of Correction,

Defendants.

C.A. No. 23-1397-MN

**ORDER**

At Wilmington this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Court having considered the filings and arguments related to Plaintiff Prisoners Legal Advocacy Network’s (“Plaintiff’s”) Motion for Early Preliminary Injunction Hearing Date, Preliminary Injunction, and Temporary Restraining Order, (“Motion”), and having determined that good cause exists for the requested relief;

IT IS HEREBY ORDERED that that Plaintiff’s Motion is GRANTED as follows:

1. The above named defendants show cause before this Court, at Room \_\_\_\_\_, 844 N. King Street, Wilmington, DE 19801-3570 on \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. or as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the defendants during the pendency of this action from failing, or refusing, to provide in person machine voting

at Delaware Department of Correction facilities to incarcerated persons presently detained by the state while they await trial (“pretrial detainees”) as well as those that have been convicted of a non-disqualifying, misdemeanor crime (together with pretrial detainees, “eligible incarcerated voters”); and

2. Personal service of a copy of this order upon the defendants or their counsel on or before \_\_\_\_\_, 20\_\_\_\_ at 5:00 p.m. shall be deemed good and sufficient service thereof; and

3. The deadline for defendants to file opposing papers, if any, shall be on or before \_\_\_\_\_, 20\_\_\_\_ at 5:00 p.m.

IT IS FURTHER ORDERED that, sufficient reason having been shown pending the hearing of the plaintiff’s application for a preliminary injunction, the defendants are temporarily restrained and enjoined from failing, or refusing, to provide in person polling places for voting at Delaware Department of Corrections facilities to eligible incarcerated voters for 14 days from the entry of this order, and further extended through the date of the preliminary injunction hearing.

---

United States District Judge